

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

IN RE HURRICANE SANDY CASES

**ORDER**

14 MC 41

-----X

THIS DOCUMENT APPLIES TO:

**ALL RELATED CASES**

-----X

**Case Management Order Number 4 (“CMO 4”)**

It has come to the attention of the court that there are approximately 449 Hurricane Sandy Cases pending in the Eastern District of New York, for which no answer has been filed.

Attached is a list of cases in which answers have not been filed as of the date of this Order.

An answer *is required* in each individual case filed with this court. In addition, court approval is required for any extensions of time to answer, regardless of whether such extensions have been consented to by the opposing party. Therefore, any and all extensions of time to file an answer, must be first approved by the court.

If an answer was filed in a case that contained plaintiffs who were initially misjoined, and the individual plaintiffs were later severed pursuant to Case Management Order Number 1 (“CMO 1”), a separate answer must be filed in each of the re-filed cases.

Accordingly, defendants who are parties to the cases set forth in the attached case list are ORDERED to file an answer by **May 7, 2014**. The answer shall be filed only under the Docket Number of the individual case. Do NOT spread the answer to all cases. In lieu of an answer, defendants may submit a letter to the subcommittee of Magistrate Judges<sup>1</sup> by **May 7, 2014**, filed

---

<sup>1</sup>The Subcommittee is comprised of Magistrate Judges Pollak, Brown, and Reyes.

**only** under Docket No.14 MC 41, explaining why an answer has not been filed in a specific case.

In cases where no answer has been filed because the parties agreed to a stipulated extension of time to answer, but no prior court approval was obtained, defendants are Ordered to answer by **May 7, 2014**, or seek the approval of the subcommittee of Magistrate Judges for the extension.

Finally, there are also a large number of Hurricane Sandy cases in which no attorney has filed an appearance on behalf of the defendant(s). A Notice of Appearance must be filed in every case pending before this court, regardless of whether counsel has previously filed a notice and appeared in other Hurricane Sandy cases in this court. Accordingly, it is ORDERED that Notices of Appearance be filed in each Hurricane Sandy case by **May 7, 2014**. The Notice of Appearance should be filed only under the docket number of the individual case and not spread to all cases. By contrast, pursuant to CMO 1, any motions for pro hac vice must be filed under 14 MC 41, as well as in the individual cases in which an attorney wishes to appear.

The Clerk is directed to send copies of this Order to the parties either electronically through the Electronic Case Filing (ECF) system or by mail.

**SO ORDERED.**

Dated: Brooklyn, New York  
April 24, 2014

/S/ CHERYL L. POLLAK  
Cheryl L. Pollak  
United States Magistrate Judge

/S/ GARY R. BROWN  
Gary R. Brown  
United States Magistrate Judge

/S/ RAMON E. REYES, JR.  
Ramon E. Reyes, Jr.  
United States Magistrate Judge